



Home Office

Family reunion: for individuals with protection status in the UK

Version 10.0

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About this guidance

This instruction provides guidance to decision makers on how to consider refugee family reunion applications. It also provides guidance on how to consider any exceptional circumstances which would render a refusal a breach of Article 8 of the European Convention of Human Rights (ECHR), in addition this instruction provides guidance on how to consider any compelling compassionate grounds where an application may not meet the requirements of the Immigration Rules.

This guidance does not cover applications for permission to stay in the UK on the basis of family life under [Appendix FM](#) of the Immigration Rules. For more information, you should refer to the immigration staff guidance.

There is a separate provision under Appendix CNP which allows for a child to join a relative in the UK where there are serious and compelling considerations. This is a separate route to refugee family reunion and has an application fee, in addition to accommodation and maintenance requirements. Individuals applying under this route must apply using the [online application form](#).

The term 'decision maker' applies to both decision makers processing in-country applications and entry clearance officers dealing with applications from overseas.

Contacts

If you have any questions about the guidance and your line manager or senior decision maker cannot help you or you think that the guidance has factual errors, then email the Asylum Policy team.

If you notice any formatting errors in this guidance (broken links, spelling mistakes and so on) or have any comments about the layout or navigability of the guidance then you can email the Guidance Rules and Forms team.

Publication

Below is information on when this version of the guidance was published:

- version **10.0**
- published for Home Office staff on **17 July 2023**

Changes from last version of this guidance

- this guidance has been updated to remove reference to the application of the differentiation policy introduced under the Nationality & Borders Act 2022
- guidance reflecting the new 'unsafe journeys' policy has been added
- minor drafting changes have also been made for clarification

Related content

[Contents](#)

Introduction

This guidance explains how you must consider applications for family reunion from family members of those granted protection status in the UK. It sets out the process for in-country and out-of-country applications.

You should read this guidance in conjunction with other key guidance products where appropriate. All relevant guidance documents can be found below:

- Biometric Enrolment: policy guidance
- Unable to travel to a Visa Application Centre to enrol biometrics (unsafe journeys) guidance
- Criminality guidance
- [Every Child Matters – Change for Children](#)
- [United Nations Convention on the Rights of the Child](#)
- [Safeguarding children: detailed information.](#)
- [Victims of human trafficking – guidance for frontline staff](#)
- [Child staying with or joining a non-parent relative \(protection\)](#)
- Revocation of refugee status
- Exclusion from protection grounds: decision maker guidance
- Previous breach of UK immigration laws: decision maker guidance
- Sham marriage or civil partnership
- False representations: decision maker guidance
- Failure to provide information
- Asylum decision making guidance: assessing credibility and refugee status
- Asylum decision making guidance: dependents and former dependents.
- Family Asylum Claims
- Disclosure and confidentiality of information in asylum claims
- Appendix FM family members: decision maker guidance
- Partners, divorce and dissolution: caseworker guidance
- Leave outside the Immigration Rules
- Family life (as a partner or parent), and exceptional circumstances
- Settlement: Refugee or humanitarian protection
- Permission to stay on a protection route
- Country Information and Guidance
- [Biometric residence permits](#)
- [Correcting an incorrect endorsement: ECB19](#)
- [Family members under Part 8 and Appendix FM](#)
- [Home Office Immigration and Nationality fees](#)
- Adequate maintenance guidance
- Rights of appeal
- [Appeal against a visa or immigration decision](#)
- Implementing allowed appeals

Background

The UK Government recognises that families can become fragmented because of the nature of conflict and persecution, and the speed and manner in which those seeking asylum are often forced to flee their country of origin.

This policy is intended to allow those with protection status in the UK to sponsor immediate family members to join them here, where they formed part of the family unit before the sponsor fled their country of origin or former habitual residence to seek protection. Immediate family members include a partner and children under 18, or over 18 in exceptional circumstances.

For the purposes of family reunion, the sponsor must be an individual who currently has protection status in the UK. This includes refugee leave and permission to stay on a protection route. Eligible sponsors also include those main applicants resettled under resettlement schemes which confer refugee status, as well as individuals with protection status and settlement, but who do not yet have British Citizenship.

Family reunion applications can be made both in-country and out-of-country. Those granted permission to stay or entry clearance under the refugee family reunion policy may be granted permission for a period which expires at the same time as their sponsor and are subject to the same conditions on work, study and access to public funds.

Policy intention

The policy objective is primarily to deliver a fair and effective refugee family reunion application process, which supports the principle of family unity by:

- acknowledging the speed and manner in which families may become separated by conflict and persecution, recognising the stress this may cause and providing a means for immediate family members to reunite in the UK
- allowing a partner and children under 18, or over 18 in exceptional circumstances, of those granted protection status to reunite with them in the UK, where they formed part of the family unit before their sponsor fled the country of their habitual residence in order to seek protection
- ensuring applications are considered in a timely and sensitive manner on an individual, objective and impartial basis, acknowledging the vulnerable situation that applicants may find themselves in and, where possible, prioritising applications without unnecessary delay
- meeting our international obligations under the European Convention of Human Rights (ECHR)
- preventing abuse of the policy by carefully reviewing applications where fraudulent documents are submitted or there is evidence that the sponsor obtained leave by deception, and refusing such applications where appropriate
- preventing those who would be excluded from the Refugee Convention from obtaining permission under the [Immigration Rules - Appendix Family Reunion \(Protection\)](#) by subjecting them to the same security checks as asylum seekers

Application in respect of children

[Section 55 Borders, Citizenship and Immigration Act 2009](#) requires the Home Office to ensure that immigration and nationality functions are discharged having regard to the need to safeguard and promote the welfare of children in the UK. The consideration of the child's best interests is a primary, but not the only consideration in refugee family reunion applications.

Although Section 55 only applies to children in the UK, the statutory guidance, [Every Child Matters - Change for Children](#), provides guidance on the extent to which the spirit of the duty should be applied to children overseas. When considering out-of-country applications you must adhere to the spirit of the Section 55 duty and make enquiries when you suspect that there may be safeguarding or welfare needs that require attention. In some instances, international or local agreements are in place that permit or require children to be referred to the authorities of other countries. You must abide by these arrangements and work with local agencies to develop arrangements that protect children and reduce the risk of trafficking and exploitation.

You must carefully consider all the information and evidence provided to ascertain how a family member in the UK who is a child will be affected by a decision and this must be addressed when assessing whether an applicant meets the requirements of the rules. You must carefully assess the quality of any evidence provided. Original documentary evidence from official or independent sources must be given more weight in the decision-making process than unsubstantiated statements about a child's best interests. For all refusals, the decision notice or letter must demonstrate that all relevant information and evidence provided about the best interests of a child in the UK have been considered.

Where it is relevant to a decision, when considering out-of-country applications you must make it clear in the refusal letter that the child's welfare has been considered in the spirit of section 55 without stating that it is a duty to do so.

Where an applicant meets the validity and suitability requirements of the rules but does not meet the eligibility requirements for entry clearance or permission to stay, including any exceptional circumstances which would render a refusal a breach of Article 8 ECHR, you must consider whether there are any compelling compassionate grounds which may warrant a grant of leave outside the Immigration Rules.

For more information on the key principles to take into account, see:

- [Every Child Matters – Change for Children](#)
- [United Nations Convention on the Rights of the Child](#)
- [Victims of human trafficking – guidance for frontline staff](#) (where appropriate)

Related content

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Legislation

International obligations

The [1951 United Nations Convention](#) relating to the Status of Refugees and the 1967 Protocol (the 'Refugee Convention') is the primary source of the framework for international refugee protection. However, it does not refer explicitly to family reunion as one of the rights and benefits refugees should receive in the country of refuge. The principle of family unity is referred to in the [UNHCR Handbook](#) (chapter VI, paragraphs 181-188), which sets out that as a minimum requirement a spouse and minor children of a refugee should benefit from family unity provisions where family life has been temporarily disrupted due to conflict or persecution.

The [European Convention on Human Rights](#) (ECHR) provides the framework for ensuring the rights and fundamental freedoms of individuals in signatory states including the UK. Article 8 of the ECHR sets out the 'Right to respect for private and family life' which impacts refugee family reunion as public authorities should not interfere with this right, save for specified circumstances.

Signatory states to the [United Nations Convention on the Rights of the Child](#) recognise the family as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children. Children should be afforded the necessary protection and assistance so that the family can fully assume its responsibilities within the community.

Domestic legislation

Domestic legislation which you must consider:

Nationality, Immigration and Asylum Act 2002

Section 82 of the [Nationality, Immigration and Asylum Act 2002](#) specifies that an appeal can be brought against a decision to refuse a human rights or protection claim, or a decision to revoke protection status.

The right of appeal is subject to the exceptions and limitations set out in Part 5 of the Act. See the Rights of appeal guidance for further information.

Human Rights Act 1998

An appeal under section 82(1)(b) of the Nationality, Asylum and Immigration Act 2002 (refusal of human rights claim) must be brought on the ground that the decision is unlawful under section 6 of the [Human Rights Act 1998](#). The refusal of an application for leave to enter or remain on the basis of the family reunion rules (or on an exceptional basis) is a human rights claim for the purposes of section 82(1)(b).

Section 92(4) of the Nationality, Immigration and Asylum Act 2002 specifies that in the case of an appeal under section 82(1)(b) (human rights claim appeal) where the

claim to which the appeal relates was made while the appellant was outside the UK, the appeal must be brought from outside the UK.

Nationality and Borders Act 2022

The [Nationality and Borders Act 2022 \(the '2022 Act'\)](#) made changes to the way in which asylum claims made after the 2022 Act came into force on 28 June 2022 are determined.

[The Nationality and Borders Act 2022](#) and [Part 11 of the Immigration Rules](#) also provide the legal framework within which a person claiming asylum and granted refugee status will be provided with [permission to stay in the UK](#).

Immigration Rules

Appendix Family Reunion (Protection) sets out the requirements for all refugee family reunion applications. It will also be necessary to consider other provisions in the rules including:

Definitions

Paragraph 6.2 sets out the relevant definitions for immigration applications.

Appendix Family Reunion (Protection)

Paragraphs FRP.1.1 to FRP.7.1. set out the requirements for granting refugee family reunion and cover a partner and children under the age of 18, or over 18 with exceptional circumstances, of those currently with protection status in the UK.

Part 9 of the rules

Part 9 sets out the grounds for refusal and applies to family reunion applications - see General grounds for refusal for more information.

Part 11 of the rules

Paragraphs 339A to 339AC and 339BA set out when refugee status granted under paragraph 334 may be revoked or renewed and paragraphs 339G to 339GD set out similar provisions for those granted humanitarian protection.

Paragraphs 344A(i) to 344A(ii) cover the circumstances for dealing with applications for a Convention Travel Document (CTD) for refugees and those with humanitarian protection and Certificate of Travel (CoT) for those unable to obtain a national passport.

Related content

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Refugee family reunion application process

Applications under the refugee family reunion route can be made both from within the UK 'in-country' and overseas 'out-of-country'. There are no application charges or biometric enrolment fees for applications under this route. Applicants do not have to satisfy additional requirements including financial, accommodation or English Language requirements or pay the Immigration Health Surcharge (IHS). Applicants are also exempt from the Knowledge of language and life in the UK requirement at the settlement stage.

Applications made in the UK

Individuals who are currently in the UK and wish to remain with their family member under the refugee family reunion route must apply for permission to stay by email or by writing to the in-country refugee family reunion team. Emails or letters should include the following information:

- the sponsor's full name, date of birth, nationality and Home Office reference number
- 2 passport sized photographs of each applicant
- valid passport for each applicant (where possible)
- a written statement from the sponsor - this should set out who is in their family, including names and dates of birth, how they came to leave their family behind when they originally fled their country to seek protection, what contact they have had with their family whilst separated, what contact they have with their family currently and what circumstances their family is living in
- any supporting documentary evidence available – see '[evidence](#)' section
- contact details of the sponsor and any legal representatives

All email applications made in the UK must be sent to the in-country refugee family reunion email: acscincountryfamilyreunion@homeoffice.gov.uk

All letter applications made in the UK must be sent to:

Asylum Children & Secondary Casework
Family Reunion Team
Admin Team
7th Floor, Capital Building
Liverpool
L3 9PP

Once the information has been received, and you have concluded the application is valid, applicants will be required to make an appointment to enrol their biometrics. Biometric information can be provided at a UKVI Service and Support Centre (SSC). Details of an applicant's nearest SSC can be found at [GOV.UK](https://www.gov.uk). For applicants over 5 years of age, this will be a scan of their fingerprints and a digital photograph.

Applicants who are under 5 are not required to provide their fingerprints but must still provide a digital photo of their face at a SSC. There is no mandatory charge for refugee family reunion applicants to use a SSC.

Applications made outside the UK

Individuals who are outside of the UK and wish to join family members in the UK under the refugee family reunion route must apply for entry clearance using the relevant [online application form](#).

Biometric information usually must be provided at a visa application centre (VAC) for out-of-country applications. For applicants over 5 years of age, this will be a scan of their fingerprints and a digital photograph. Applicants who are under 5 are not required to provide their fingerprints but must still provide a digital photo of their face at a VAC. Applicants can also have supporting documents scanned at a VAC free of charge. Details of an applicant's nearest VAC can be found on [GOV.UK](#). There is no mandatory charge for refugee family reunion applicants to use a VAC, although our commercial partners may offer optional charged services.

Where an applicant is applying from outside of the UK, they will need to provide a valid TB certificate if they have been residing in a country listed in [Appendix T](#) of the Immigration Rules for the 6 months immediately preceding the application. Further information regarding which applicants are required to obtain a TB certificate before applying and the valid test centres can be found on [GOV.UK](#).

Related content

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Considering refugee family reunion applications

All family reunion applications must be carefully considered by applying paragraphs FRP.1.1 to FRP.7.1 of the Appendix FRP in accordance with this guidance. Applications should be progressed without unnecessary delay as applicants may be in vulnerable situations whilst awaiting a decision. The refugee family reunion rules apply a four-stage decision-making process: validity, suitability, eligibility and decision.

Prioritisation

We recognise that family members of those with protection status in the UK who are overseas may be particularly vulnerable.

Once an applicant has enrolled biometric information (or it has been agreed either to predetermine their application before they are required to attend a visa application centre to register biometrics or, to defer the requirement to enrol their biometrics until they have arrived in the UK), the out-of-country operational team must prioritise applications where the applicant is an unaccompanied child, under the age of 18. The team may write to individuals who they believe are unaccompanied children to obtain any further information which may be required. Such applicants do not need to make a request for prioritisation.

Where the out-of-country operational team receives a request for prioritisation from an applicant or their representative this will be assessed to determine whether it should be prioritised. Examples of requests for prioritisation which may be accepted include applicants or sponsors who have serious medical conditions or terminal illness (where independent evidence is provided of such). This is non-exhaustive, and managers must undertake a holistic consideration of the applicant's circumstances.

Four-stage decision-making process

First, you must consider whether the application is valid, in line with paragraph FRP.1.1. Where the application does not meet the validity requirements, you may reject the application as invalid and not consider it. Where the application does meet the validity requirements, you must then consider the suitability requirements.

Second, you must consider whether the applicant meets the suitability requirements, set out in paragraph FRP.2.1 to 2.2. Where the applicant does not meet the suitability requirements, you must refuse the application without considering any exceptional circumstances or compassionate grounds. Where the applicant does meet the suitability requirements, you must then turn to the eligibility requirements.

Third, you must consider whether the sponsor and applicant or applicants are eligible for refugee family reunion by meeting the requirements set out in paragraphs

FRP.3.1 to FRP.7.1. Where they do not meet the eligibility requirements, you must consider on the basis of the information provided by the applicant, whether there are exceptional circumstances which would make a refusal of the application a breach of Article 8 of the European Convention on Human Rights (ECHR) because such refusal would result in unjustifiably harsh consequences for the applicant or their family member whose Article 8 rights it is evident from the information provided would be affected by a decision to refuse the application, as set out in paragraph FRP.7.1.

Finally, where you are satisfied that the sponsor and applicant or applicants meet the requirements set out in FRP.1.1 to FRP.6.2, or you consider there to be exceptional circumstances which would make a refusal of the application a breach of Article 8 of the ECHR, you must grant the application in line with paragraph FRP.8.1. The period and conditions of the permission granted should be in line with paragraphs FRP.9.1 to FRP.9.3.

Where you are not satisfied that the sponsor and applicant or applicants meet the eligibility requirements in paragraphs FRP.3.1 to FRP.6.2 and assess there to be no exceptional circumstances which would make a refusal of the application a breach of Article 8 of the ECHR, you must consider whether a grant of leave outside the rules is warranted on compelling and compassionate grounds - see [compelling compassionate factors](#). If any compelling compassionate factors are raised in the application and warrant a grant of leave, you should grant in line with the leave outside the rules (LOTR) guidance.

Most family reunion applications are considered on the information provided in the application form, the supporting evidence that the applicant submits, and the results of other checks and enquiries about the sponsor and applicant. However, in some cases it may be appropriate to interview the applicant or sponsor either by telephone or in person, depending on the circumstances of the case.

Stage 1 - Validity for refugee family reunion

Definition of a valid refugee family reunion application

The validity requirements for an application under Appendix FRP are:

- the applicant's sponsor must currently have protection status in the UK
- the applicant's sponsor must not be a British Citizen
- the applicant must have made an application through the appropriate method
- the applicant has provided any required biometric information

Where a refugee family reunion application does not meet the validity requirements, the application must be rejected as invalid and not considered.

Where the applicant has used the family reunion application form to seek a consideration of leave outside the rules (LOTR), you must consider whether this is the closest form to the applicant's circumstances. If there is a more appropriate route or application form, for example where the applicant's sponsor is a British Citizen

and they should have applied under Appendix FM, you must notify applicants using the correct letter template which sets out the reason the application has been rejected as invalid.

Where an application was made using the relevant online application form before 12 April 2023, and it does not meet the validity requirements, the application must not be rejected. Rather, you must continue the decision-making process and consider whether there are any compelling compassionate factors which warrant a grant of LOTR.

Proof of identity

In all cases, it is the responsibility of the applicant to satisfy the decision maker about their identity. To do this, applicants will be required to give their biometrics in most circumstances.

Official – sensitive: start of section

The information in this section has been removed as it is restricted for internal Home Office use only.

Official – sensitive: end of section

Applicants must submit all original documents or scanned copies that they are able to provide to establish their identity and to support their claim to be related to the sponsor. This could include:

- a passport or travel document
- national identity cards
- an expired passport or travel document
- other official documents, such as, for example, school ID cards or letters or identity cards

Where individuals do not have official travel documents, they must present other documentation or evidence (for example, voluntary DNA, attend an identity interview) to sufficiently establish their identity.

Where you consider that it may be appropriate for the requirement for an applicant to enrol their biometrics to be deferred or excused, you must refer to the Biometric Enrolment: policy guidance.

Where an application for Family Reunion was made **before 12 April 2023** and a request to excuse the requirement to attend a visa application centre (VAC) to enrol biometric information or predetermine an application is made, you must consider the request to predetermine the application or excuse the requirement to attend a VAC to enrol biometric information as set out in the [Unable to travel to a Visa Application Centre to enrol biometrics \(overseas applications\) guidance](#) and make a decision based on this request.

Where an application is made **on or after 12 April 2023** and a biometric waiver or pre-determination request has been made, you must only consider the request to be excused from the requirement to attend a visa application centre to enrol biometrics or have their application pre-determined, you consider the application to be valid, notwithstanding the requirement to enrol biometric information.

Where you are satisfied that the application is valid, subject to enrolling biometric information, you must then consider the request to either predetermine the application or to excuse the requirement to attend a VAC to enrol biometric information in accordance with the [Unsafe Journeys guidance](#).

If you are not satisfied that the application meets the other validity requirements set out in the Family Reunion Rules, for example the sponsor does not have protection status and the applicant has therefore not applied on the closest route to their circumstances, you must reject the application as invalid in accordance with this [guidance](#). You should not consider the request to predetermine the application or excuse the requirement to attend a VAC until such time that an applicant makes a valid application (subject to biometric registration) under the most appropriate route relating to their circumstances.

Confirmation of the sponsor's status

In all cases you must be satisfied that the sponsor currently has protection status in the UK. You must check both that:

- the sponsor's protection status is not under reconsideration and has not been revoked
- there is no reason to consider reviewing the sponsor's protection status (see Revocation of refugee status)

Revocation of the sponsor's protection status

Where a refugee family reunion application is made, the information submitted will be reviewed against any information provided by the sponsor as part of their original protection claim or any subsequent application.

If this review gives rise to evidence of deception and misrepresentation by the sponsor in their protection claim or evidence that the sponsor has re-availed themselves of the protection of their country of origin, this will lead to a review of their entitlement to protection in the UK. You should be mindful that applicants may not always know the full details of the sponsor's protection claim due to, for example, prolonged separation or security reasons. See Revocation of refugee status for more information.

Stage 2 - Suitability for refugee family reunion

Paragraph FRP.2.1 sets out the suitability requirements which applicants must meet before a you move on to consider eligibility. You must be satisfied that:

- paragraphs 339AA, 339AC, 339D and 339GB under Part 11 of the rules do not apply to the applicant
- where the relevant paragraphs do apply, you must be satisfied that the applicant has not made a protection claim in the UK, or where the applicant has made a protection claim, that it was determined without reference to matters in paragraphs 339AA, 339AC, 339D and 339GB under Part 11 of the rules

You must also assess whether the applicant would fall for refusal under Part 9: grounds for refusal.

Where you are not satisfied that the applicant meets paragraph FRP.2.1 you must refuse the refugee family reunion application. You do not need to consider any exceptional circumstances which would make a refusal of the application a breach of Article 8 of the ECHR or compelling compassionate factors.

Part 9: grounds for refusal

The Home Office is responsible for maintaining effective immigration control. This includes preventing abuse of the system. A number of the grounds for refusal in [part 9 of the Immigration Rules](#) apply to refugee family reunion applications. You must consider all the relevant grounds for refusal, including:

- Exclusion (paragraph 9.2.1)
- Non-conducive (paragraph 9.3.1)
- Criminality (paragraphs 9.4.1 – 9.4.3) – before deciding an application, you must check if the applicant has been convicted of a criminal offence and been sentenced - you must refer to the criminality guidance to assess whether any criminal offence meets the threshold for refusal
- Exclusion from asylum or humanitarian protection (paragraph 9.5.1)
- Involvement in a sham marriage (9.6.1)
- False representation and deception (paragraph 9.7.1 and 9.7.2) as part of a family reunion application it is important that individuals provide supporting evidence to establish their identity and evidence that they are related to their sponsor as claimed - you must consider whether any false representation or deception has been made as part of the application
- Previous breach of immigration laws (paragraphs 9.8.1 – 9.8.4)
- Failure to provide information (paragraph 9.9.1)

You must refuse an applicant where there is evidence that their background, behaviour, character, conduct or associations shows they should not be granted entry clearance or permission to stay in the UK for one or more of the grounds set out in Part 9 of the Immigration Rules. For further guidance see General grounds for refusal.

Stage 3 - Eligibility for refugee family reunion

Definition of an eligible sponsor for the purpose of refugee family reunion

In order to meet the refugee family reunion Rules, a sponsor must have protection status in the UK. Protection status means – refugee leave or permission to stay on a protection route. This also includes the individual who is the main applicant on resettlement schemes which confer protection status such as:

- [Gateway Protection Programme](#)
- [Mandate Refugee Programme](#)
- [Syrian Vulnerable Persons Resettlement \(VPR\) scheme](#)
- [Community Sponsorship Scheme](#)
- [UK Resettlement Scheme \(UKRS\)](#)
- [Afghan Citizens Resettlement Scheme: Pathway 2 \(ACRS\)](#)

Where an individual came to the UK through a resettlement scheme, you must be satisfied that the sponsor (main applicant) declared the dependant or dependants on their resettlement referral, and that they are related as claimed. Where a sponsor has not declared the dependant or dependants on their resettlement application, there may be legitimate reasons for this. The onus is on the applicant to provide a reasonable explanation for the omission and to satisfactorily demonstrate that they are related as claimed to their sponsor.

Sponsors who have protection status and indefinite leave to remain in the UK but have not yet obtained British Citizenship are eligible to sponsor family members under the refugee family reunion route.

Definition of an eligible applicant for the purpose of refugee family reunion

Where you are satisfied that the sponsor of the application is eligible, you must also assess the eligibility of the applicant(s).

Paragraphs FRP.4.1 to 6.2 of the Immigration Rules set out the relationship and family life requirements that a partner, minor child or child over 18 must meet in order to be an eligible applicant under refugee family reunion.

When considering paragraph FRP.4.1 to 6.2 you must be satisfied to the required standard of proof that:

- the applicant and sponsor are related as claimed
- the applicant formed part of the family unit prior to the sponsor having fled their former country of habitual residence to claim asylum in the UK

Definition of a partner

Paragraph FRP.4.1 sets out the relationship requirements for individuals seeking to enter or stay in the UK as a partner under refugee family reunion. Paragraph 6 of the Immigration Rules introduction defines a partner as:

- (a) spouse; or
- (b) civil partner; or
- (c) unmarried partner, where the couple have been living together in a relationship similar to marriage or a civil partnership for at least two years.

In addition to the requirements of FRP.4.1, when considering an application under these rules, you must also be satisfied to the required [standard of proof](#) that the evidence produced establishes that the relationship between the sponsor and the applicant is genuine and that they have met in person.

When assessing an application for entry clearance or permission to stay as a partner under this route, you must be mindful that those fleeing conflict or persecution may become separated from their families and may even lose contact for periods of time due to circumstances beyond their control. It is important to carefully consider all evidence available and any explanations for a lack of evidence to reach an informed decision. For further guidance, see the partners, divorce and dissolution guidance on how to consider cases that involve a partner to recognise a genuine and subsisting relationship.

Consideration must be given to any exceptional circumstances under Article 8 of ECHR as per FRP.7.1 and where relevant compelling compassionate factors which may warrant a grant of leave outside the rules, including whether the requirement to live together would have put a same-sex or unmarried couple in danger.

Definition of a child

Paragraphs FRP.5.1 to 6.2 set out the relationship requirements for a minor child seeking to join a parent with protection status. When considering applications under these rules, you must be satisfied that the applicant:

- is the child of, or the child of a partner of, a person who has protection status
- is under the age of 18 at the date of application or if they are over the age of 18 there are exceptional circumstances (within the meaning of paragraph FRP.6.1)
- formed part of the family unit of the sponsor at the time that the sponsor left the country of their habitual residence in order to seek asylum
- is not married or in a civil partnership and must not have formed an independent family unit

Where a child applicant does not meet the requirements of FRP.5.1 to 6.2, you must consider if there are any exceptional circumstances which would render refusal of permission to stay, or entry clearance, a breach of Article 8 of the ECHR, because such refusal would result in unjustifiably harsh consequences for the applicant or their relevant family member.

Where you are not satisfied that there are any exceptional circumstances under Article 8 ECHR, you must then consider whether there are any compelling compassionate grounds which would warrant a grant of leave outside the rules ([see compelling compassionate factors section](#) for more information).

In applications where a child reaches the age of 18 after a refugee family reunion application has been made but before it has been decided and is still not leading an independent life, you must consider the child as being under 18 as they were at the time of the application.

Children over the age of 18

Paragraph FRP.6.2 sets out the exceptional circumstances which would enable an adult child to meet the requirements to join a parent in the UK. This includes:

- whether the child is dependent on the financial and emotional support of one or both of their parents
- whether the parent or parents they depend on is in the UK, or qualifies for family reunion or resettlement and intend to travel to the UK, or has already travelled to the UK
- whether the child is leading an independent life, has no other relatives to provide means of support and they could not access support or employment in the country in which they are living and would therefore likely become destitute if left on their own

Where the child of a sponsor who is over 18 meets the requirements set out above, you must consider the applicant as meeting paragraph FRP.6.1(a) and continue with the decision-making process.

Where a child over 18 does not meet the requirements of FRP.6.2., you must consider if there are any exceptional circumstances which would render refusal of permission to stay, or entry clearance, a breach of Article 8 of the ECHR, because such refusal would result in unjustifiably harsh consequences for the applicant or their relevant family member.

Where you are not satisfied that there are any exceptional circumstances under Article 8 ECHR, you must then consider whether there are any compelling compassionate grounds which would warrant a grant of leave outside the rules. For further information see: [Exceptional circumstances and compassionate factors](#).

Children conceived before the sponsor fled their country

Where a child has been conceived before the sponsor fled to seek asylum in the UK but born post-flight, you must treat that child as part of the pre-flight family of the sponsor. [Proof of relationship](#) will be required in order for you to be satisfied they meet the relationship requirements of the rules. For further guidance see: Asylum decision making guidance: dependents and former dependents.

Adopted children

Where a child is seeking to join their pre-flight adopted parent or parents, they must be able to demonstrate that their sponsor holds an adoption order and that it was granted either by the administrative authority in the third country, or by a court which has the legal power to decide such applications. The adoption order should have been issued in the child's country of origin or where the child is living. You should ensure that the adoption order issued overseas is recognised as valid for the purposes of UK law. The Adoption (Recognition of Overseas Adoptions) Order 2013 and the Adoption (Recognition of Overseas Adoptions) (Scotland) Regulations 2013 and its amendment provide further detail on the countries which automatically recognise adoptions.

Cases where a dependant's age is disputed

Where an application is being made under FRP.4.1 of the refugee family reunion rules, you must be satisfied that the applicant is in fact a child, as claimed. For in-country applications, where there is doubt as to whether the applicant is a child from the evidence submitted, an initial assessment of the child's age must be made.

For in-country applications, guidance on dealing with age disputed claims in the UK can be found in the Asylum Instruction on Assessing age and in the Joint working guidance on age assessment for front line practitioners. This guidance on the weight to apply to evidence relating to age may be used to inform decisions for out-of-country applications, but you should be mindful of the in-country context. For example, as the individual will not be in the care of a UK local authority, there will be no duty on a local authority to conduct an age assessment.

In out-of-country applications, if there is any doubt about a child's age, consideration should be given to interviewing individuals to make an initial assessment of age. In such cases, all available sources of relevant information and evidence should be considered since no single assessment technique, or combination of techniques, is likely to determine the applicant's age with precision.

Ineligible applicants for the purpose of family reunion

Paragraphs FRP.4.1 to 6.2 of Appendix FRP set out the relationship requirements that a partner, child or child over 18 must meet in order to be an eligible applicant under refugee family reunion. The following individuals, therefore, would not meet the eligibility requirements of the rules – this list is not exhaustive:

- a person who falls within the terms of one of the exclusion clauses listed under Article 1F of the Refugee Convention
- a partner in a consanguineous relationship (relationship by blood) – see [Marriage \(Prohibited Degrees of Relationship\) Act 1986](#) and [Civil Partnership Act 2004](#)
- family members of children with protection status

- a post-flight family member, including those who formed a relationship with the sponsor in a third country, after the sponsor fled their country of origin or former habitual residence to seek asylum
- a child born in the UK after the grant of asylum or grant of humanitarian protection (see [UK born children](#)), unless conceived pre-flight (see [Children conceived before the refugee fled their country](#))
- a child over the age of 18 (unless there are exceptional circumstances as defined in paragraph FRP.6.2 or they were under 18 at the point of initial application)
- any other dependant relative who is over 18, for example a sister, brother, parent, grandparent, uncle or aunt

Where an applicant does not meet the eligibility requirements, you must consider if there are any exceptional circumstances which would render refusal of permission to stay, or entry clearance a breach of Article 8 of the ECHR because such refusal would result in unjustifiably harsh consequences for the applicant or their relevant family member.

Where you are not satisfied that there are any exceptional circumstances under Article 8 ECHR, you must then consider whether there are any compelling compassionate grounds which would warrant a grant of leave outside the rules.

UK-born children

You should refer to the Dependants and former dependants: asylum policy instruction for guidance on considering children born in the UK.

Parents and siblings of a child with protection status

Children are not eligible to sponsor family members under the refugee family reunion rules. This policy is not designed to keep child refugees apart from their parents, but in considering any policy we must carefully think about the wider impact which may risk creating incentives for more children to be encouraged, or even forced, to leave their family and risk dangerous journeys to the UK.

The parents and siblings of a child with protection status in the UK are not eligible to apply under the refugee family reunion rules. Where an application does not meet the eligibility requirements of the rules, you must use your discretion and consider whether there are any compelling compassionate factors which may warrant a grant of leave outside the rules. Each case must be considered on its individual merits and include consideration of the best interests of the child in the UK.

De facto adopted children

A de facto adoption is one where a child has been incorporated into another family than the one into which they were born and has been cared for in that family. Unlike formal adoptions which can be established on the basis of documentary evidence, de facto adoptions are likely to require an assessment of the overall picture of the

circumstances surrounding the 'adoption', often with little or no documentary evidence. The onus to establish a de facto adoption is on the applicant.

Under paragraphs FRP.1.1 to FRP.6.2 there is no provision for a child who has applied for family reunion as the subject of a de facto adoption. Paragraph FRP.7.1 sets out the requirements for family reunion based on Article 8 of the ECHR. This states that where an applicant does not meet the requirements for a child under FRP.5.1 to FRP.6.2, you must consider whether there are exceptional circumstances which would make a refusal of the application a breach of Article 8 of the ECHR, because such refusal would result in unjustifiably harsh consequences for the applicant or their family member.

Further information on de facto adoptions can be found in the Adopted children and children coming to the UK for adoption guidance.

Polygamous marriages

The Immigration Rules ([Part 8 – paragraph 278 and 296](#)) on polygamous marriages apply to family reunion applications. For further information see the Partners, divorce and dissolution guidance.

Exceptional circumstances and compelling compassionate factors

Exceptional circumstances under Article 8 ECHR

Where a refugee family reunion application meets the validity and suitability requirements but does not meet the eligibility requirements of the rules, you must go on to consider whether there are exceptional circumstances which would render refusal of permission to stay or entry clearance a breach of Article 8 ECHR, because such refusal would result in unjustifiably harsh consequences for the applicant or their relevant family member. This is in line with Appendix FM GEN.3.2 – guidance on making this consideration can be found in the Family life (as a partner or parent) and exceptional circumstances guidance.

Relevant factors under Article 8

You should consider all relevant factors in the light of all the information and evidence provided by the applicant when deciding whether to issue permission to stay or entry clearance under ECHR Article 8. Extra attention should be given to cumulative factors raised and these should be weighed against the public interest of maintaining effective immigration control and preventing burdens on the taxpayer. Relevant factors include, but are not limited to:

The nature and extent of the family relationships involved, including such matters as:

- the evidence that the applicant and sponsor have a genuine family life together

- if the relationship is between adult family members or wider family members, evidence of an unusual or exceptional level of dependency such that Article 8 is engaged
- how frequently the applicant currently has direct contact with the sponsor, with the consideration of what is practicably possible

Regarding adult family members and wider family members, whether or not family life exists requires a careful assessment of all the relevant facts presented in the application. Caselaw establishes clearly that love and affection between family members are not of themselves sufficient – further elements of emotional and/or financial dependency are necessary. The formal relationship or relationships between the relevant parties will be relevant, although ultimately it is the substance and not the form of the relationship or relationships that matters. The existence of effective, real or committed support is an indicator of family life. Co-habitation is generally a strong indication of the existence of family life. The extent and nature of any support from other family members will be relevant, as will the existence of any relevant cultural or social traditions. *Mobeen v Secretary of State for the Home Department* [2021] EWCA Civ 886; *Singh v SSHD* [2015] EWCA Civ 630 ("Singh 2").

If the sponsor has severe mental or physical health conditions which can only be improved by the applicant joining them in the UK, independent medical evidence must be provided to show that the sponsor has exhausted all treatment options and that the medical condition of the sponsor can only be improved by the applicant joining the sponsor in the UK. Consideration should be given to the applicant's ability to care for the sponsor in the UK.

Given the nature of the route and circumstances of the sponsor, it is likely to be common that the applicant is in a conflict zone or dangerous situation. Where an application raises a protection need, you should be mindful that family reunion is not a protection route and asylum cannot be claimed from outside the UK. Individuals should apply for asylum in the first safe country they reach. You must also assess whether family life within the meaning of ECHR Article 8 can be enjoyed anywhere other than in the UK.

Compelling compassionate factors

Compassionate factors are, broadly speaking, exceptional circumstances that warrant a grant of discretionary leave for a non-Article 8 reason.

If any compelling compassionate factors are raised in the application, you should consult the leave outside the rules (LOTR) guidance. You must ensure that where an applicant is granted permission to stay on the basis of compelling compassionate factors, the decision letter clearly shows that the grant has been given outside the Immigration Rules on those grounds and must be clear that the grant is not being made on the basis of their ECHR rights.

The applicant should demonstrate as part of their application what the exceptional circumstances or compassionate factors are in their case, and/or what unjustifiably

harsh consequence would be faced should they be refused leave to enter or remain in the UK. Each case must be decided on its individual merits.

Where a decision is to be made on entry clearance outside the Immigration Rules, you must refer the case to the Referred Casework Unit (RCU). A full recommendation must be included based on an assessment of the application and all the evidence considered. For details of the referral process and the appropriate referral form see Referral and Deferral guidance for ECOs (internal).

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Evidence

The Immigration Rules do not require specified evidence to support a refugee family reunion application. The onus is on the individual making a refugee family reunion application to provide sufficient evidence to prove the relationship between the applicant and sponsor. You will consider the 'balance of probabilities' to identify whether there is sufficient evidence to prove the individuals are related as claimed and whether this relationship is genuine and subsisting.

You must be mindful of the difficulties individuals may face in providing documentary evidence. Those fleeing conflict zones or dangerous situations may not have time to collect supporting documents or have realised they would be required.

Genuine documentation may not be readily available for a number of reasons:

- applicants may have needed to leave their home under duress and without the time or capacity to collect documents
- there may not have been a functioning administrative authority to issue documents such as birth and marriage certificates or even passports
- the applicant may also be reluctant to approach authorities, which may have prevented what would otherwise be a standard administrative process, for example the registration of marriage or the birth of a child
- refugees or those with humanitarian protection may not have any evidence, for example, of the existence of a same-sex relationship, where there may be no avenue to legally marry or have a civil partnership or having photographs in the country from which the sponsor has fled may have put them in danger
- documents may have been lost or destroyed in the conflict or on the journey to safety

In addition to individual accounts submitted by the applicant, Country Information and Guidance (CIG) will give some insight into challenges that individuals may face in acquiring documents or providing credible documentation and providing evidence that their relationship started before their sponsor left to support their application. The CIG also provides insight into the reasons why a couple could not live together in certain countries and the challenges around obtaining evidence of a relationship.

Original documents such as a passport or marriage certificate may not be available to submit with an application because they have been lost or they could not be issued due to there being no authority to issue in the country the sponsor and their family have left. Where original documents are not available to submit with any application, such as a passport or marriage certificate, the onus is on the applicant to provide a reasonable alternative or an explanation of their absence, including any attempts to obtain them, and to satisfactorily demonstrate that they are related to, or in a relationship, as claimed to their sponsor. See [Requesting further evidence](#).

Submitting false documents or evidence, whatever the motives for so doing, may lead to refusal and this is covered in the [Part 9: grounds for refusal](#) section of this guidance.

Careful consideration should be given to how the sponsor came to leave the family behind, any delay between the sponsor being separated from their family when they left to seek protection and being able to contact the applicant, what contact they have had and are having with their family currently and what circumstances their family is currently living in. You should bear in mind that had the sponsor's family been able to leave at the same time, they may now have had protection status in their own right. A period of separation may not have been out of choice, with people being forced to spend time apart when the sponsor left to seek protection.

You must consider the reasons behind any period of separation before any decision is made to refuse on the basis that a relationship is not subsisting.

Standard of proof

All evidence submitted to prove the relationship between the applicant and sponsor must meet the civil law standards, which is the balance of probabilities. You must consider whether, after looking at all the evidence, it is more likely than not that the applicant and their sponsor are in a relationship or related as claimed. It is for the applicant and their sponsor to provide sufficient evidence to show they are related as claimed.

Requesting further evidence

You may request further information to support the application. Requests for further evidence should bear in mind the situation which has prompted the refugee to leave their country of origin or habitual residence. For example, the applicant may be residing in a refugee camp without easy access to the internet, telephone or postal services and may have fled their home with few belongings. They may not be in a position to provide further documents or have any safe or regular access to the internet.

If you consider that an explanation about the lack of documents or further evidence is required to support the claimed relationship, appropriate enquiries should be made through either the applicant's representative, by post, email or by arranging a telephone call to the sponsor or applicant. If you are still not satisfied with the evidence, you may arrange an interview with the sponsor in the UK or with the applicant overseas.

Proof of relationship

The evidence provided must establish that a genuine relationship between the sponsor and the applicant exists and that it existed prior to the sponsor having fled the country of origin to seek asylum in the UK. Applicants and sponsors in refugee family reunion cases may not be able to provide the level of evidence that would be required for other applications under the Immigration Rules, due to the nature of refugee journeys. The onus is on the applicant to provide a plausible explanation and establish that they are in a relationship or related as claimed to their sponsor.

Appendix Relationship with Partner sets out the requirements which must be met for a relationship to be deemed genuine and subsisting. The Relationship with a partner guidance provides further information.

Applicants could include any number of documents to support their claim that they are related as claimed, this could be:

- marriage certificates
- traditional marriage ceremony documents
- documents relating to accommodation or joint purchases
- DNA evidence offered voluntarily at the applicant's expense from an accredited laboratory as set out in Home Office DNA policy guidance;
- birth certificates
- adoption orders
- biometric resident permit (BRP) or original letter from UKVI or Immigration Enforcement (IE) confirming the sponsor has leave and status as claimed in the UK
- family photographs
- wedding photographs
- wedding invitations
- witness statements (from the sponsor and applicant, wedding guests, family members, or person who conducted the ceremony)
- communication records (telephone records, emails and letters for the period they have been apart, or social media messages)
- financial transfer records
- any other evidence indicating the relationship is as claimed

You must take into account any other evidence previously available to the Home Office as part of any other application. For example, evidence submitted as part of the asylum claim (statement of evidence form (SEF), witness statements, asylum interview or evidence from any appeal hearing). The fact that family members have been mentioned in the asylum claim is a strong indication that they formed part of the pre-flight family unit.

If there is no reference to dependants as part of the previous asylum claim, this may be related to factors such as security concerns for family overseas. Where there are other factors that undermine the credibility of the application, you must consider refusing the application.

Where the sponsor has been brought to the UK as the main applicant under a resettlement scheme, you may make further enquiries to the relevant operational resettlement team for evidence that the relationship is as claimed. You should include the sponsor's name, date of birth, Home Office reference number (if known) and specify which [eligible scheme](#) the sponsor arrived under has arrived in the UK under when contacting the relevant operational resettlement team.

In cases where an application cannot be decided based on the information provided, you may ask for further evidence by contacting the applicant's legal representative or if unrepresented, the applicant or sponsor. In some cases, it may be appropriate to

arrange an interview. During an interview you must ask appropriate questions in a sensitive manner to carefully test the evidence and put any discrepancies to the applicant or the sponsor. You may defer the application and make further enquiries into the evidence to assess whether the relationship is as claimed. Further information is available in the document verification guidance.

DNA testing

The onus lies on applicant and their sponsor to provide sufficient evidence to prove their relationship and satisfy you that they are related as claimed. You must not require DNA evidence. Applicants can choose to volunteer DNA evidence from an accredited testing laboratory either proactively or in response to an invitation to submit further relevant evidence, which may include DNA evidence. Where applicants choose not to volunteer DNA evidence, no negative inferences can be drawn from this. Further information is available in the Home Office DNA policy guidance.

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Stage 4 - Decisions for refugee family reunion

Applications for refugee family reunion that meet the relevant requirements of the rules will be granted permission that expires at the same time as the permission granted to the sponsor, but they will not be granted protection status. The applicant will be granted the same duration of permission to stay that the sponsor has remaining so that their permission to stay will expire at the same time as their sponsor's. If the sponsor has indefinite leave to remain (ILR) and protection status, family members will be granted ILR or indefinite leave to enter in line but not status in line.

Decisions relating to applications within the same family group should be issued at the same time to prevent families being temporarily separated whilst they await their visas. There may be rare circumstances where family members have differing lengths of leave, if for example, some are granted under the rules and others are granted leave outside the rules.

In-country refugee family reunion decisions

Grant permission to stay

Where an application is granted under paragraphs FRP.1.1 to FRP.6.2 refugee family reunion applicants will be granted leave in line with the sponsor, but they will not be granted status in line. This leave will expire at the same time as the sponsor's leave expires and will be subject to the same conditions. If the sponsor has ILR and protection status, the successful applicant will be granted ILR in line but not status in line, and also be subject to the same conditions.

Where an applicant is granted under paragraph FRP.7.1 (Article 8 of European Convention on Human Rights (ECHR)), the grant period will be for a period which expires at the same time as the permission granted to the sponsor, up to a maximum period of 30 months.

Grant permission to stay outside of the Immigration Rules

Where you determines that an application does not meet the rules, but that there are compelling compassionate factors which justifies a grant of leave, you should consider granting leave outside of the rules.

Leave should be granted in line with the sponsor up to a maximum of 30 months and be subject to the same conditions in accordance with the leave outside the rules guidance.

Refuse permission to stay

Where you determines that the application does not meet the requirements of the rules, and there are no compelling compassionate factors, you must refuse the application. The decision letter should detail the reasons for refusal under the relevant paragraph of the rules.

Out-of-country refugee family reunion decisions

Grant entry clearance

Where an application is granted under paragraphs FRP.1.1 to FRP.6.2 refugee family reunion applicants will be granted leave in line with the sponsor, but they will not be granted status in line. This leave will expire at the same time as the sponsor's leave expires and will be subject to the same conditions.

If the sponsor has ILR and refugee or humanitarian protection status, the successful applicant will be granted indefinite leave to enter in line but not status in line, and also be subject to the same conditions.

The endorsement you must use when granting under FRP.1.1 to FRP.6.2 is D: FAMILY REUNION code 1A, which is subject to the following conditions:

- work is permitted (including self-employment and voluntary work)
- study is permitted (subject to the ATAS requirement when the applicant is 18 or over)
- access to public funds

Where an applicant is granted under paragraph FRP.7.1 (Article 8 of ECHR), the grant period will be for a period which expires at the same time as the permission granted to the sponsor, up to a maximum period of 33 months.

The endorsement you must use when granting under FRP.7.1 is FAMILY REUNION code 1A. You must manually input the following 'Article 8 – Family and Private Life' in the 'endorsement 1' box to ensure there is a differentiation between a grant under Article 8 of ECHR and a grant under paragraphs FRP.1.1 to FRP.6.2. This grant of permission is also subject to the following conditions:

- work is permitted (including self-employment and voluntary work)
- study is permitted (subject to the ATAS requirement when the applicant is 18 or over)
- access to public funds

A biometric residence permit (BRP) visa should be issued for permission greater than 6 months.

Grant entry clearance outside of the Immigration Rules

Where you determine that an application does not meet the rules, but that there are compelling compassionate factors which justifies a grant of leave, you should make a referral to the Referred Casework Unit to grant leave outside the Immigration Rules.

Permission should be granted in line with the sponsor up to a maximum of 33 months and be subject to conditions in accordance with the leave outside the rules guidance.

The endorsement you must use when granting leave outside the rules is LOTR code 1, which is subject to the following conditions:

- work is permitted (including self-employment and voluntary work)
- study is permitted (subject to the ATAS requirement when the applicant is 18 or over)
- no access to public funds

A biometric residence permit (BRP) visa should be issued for permission greater than 6 months.

Refuse entry clearance

Where you determine that an application does not meet the rules and there are no compelling compassionate factors which may justify a grant of leave, you must refuse the application. The decision letter should detail the reasons for refusal under the relevant paragraph of the rules.

Appeals

Where an applicant is not content with the outcome of their application, they can lodge an appeal on the decision. Appeals can be lodged online or by post. Further information on how to appeal against a visa or immigration decision can be found on [GOV.UK](https://www.gov.uk).

For guidance on rights of appeals against immigration decisions, see: Rights of appeals guidance. Instruction on how to implement an appeal that is allowed and is not being challenged can be found in the Implementing allowed appeals guidance.

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Once in the UK

Arrival in the UK with refugee family reunion entry clearance

[Part 1 of the Immigration Rules](#) detail the powers afforded to Immigration Officers upon arrival in the UK. On arrival, a Border Force officer must be satisfied as to the identity of the family member and will examine the individual's entry clearance visa to ensure that the family member is joining family in the UK for the purposes of refugee family reunion.

Where an applicant is granted permission to enter for a duration of 6 months or less in line with their sponsor, they will not receive a biometric residence permit (BRP) and the full duration of their leave will be recorded on their vignette (visa sticker).

Where an applicant is granted more than 6 months permission to enter they will receive a vignette valid for 90 days. It allows individuals to travel to the UK and collect their BRP when they are in the UK. If the 90-day visa vignette expires before individuals travel to the UK, they will need to replace it by transferring their visa, which will attract a cost. Details are available on GOV.UK: [Transfer your visa from your passport or replace your visa - GOV.UK](#). If an applicant needs longer to make travel preparations, they should make clear on the application form the earliest date they intend to travel to the UK so that the visa can be issued to start on that day. Applicants should give themselves enough time to make travel arrangements when completing the application form.

If for some reason the visa has been endorsed in error with leave that is different to that held by the sponsor the applicant, sponsor or their representative can ask to have it amended by contacting UKVI. Details are available on GOV.UK: [Correcting an incorrect endorsement: ECB19](#).

Travel documents

A person granted entry clearance or permission to stay for refugee family reunion purposes is normally expected to keep their own national passport valid or obtain a passport from their own country of origin.

A person granted entry clearance for refugee family reunion can apply for a Convention Travel Document, to use to travel outside of the UK, except to the country the sponsor has been recognised as a refugee from.

A person cannot be in possession of their national passport (valid or expired) and a Convention Travel Document at the same time. The national passport will be impounded when a Convention Travel Document is issued.

All Convention Travel Documents issued to successful refugee family reunion applicants since 21 February 2011 should contain an endorsement making it clear

that the holder cannot be a sponsor under the refugee family reunion rules in their own right.

Applying for further permission to stay

Family members granted limited entry clearance or permission to stay under the refugee family reunion rules must apply for further permission to stay no more than 28 days before their leave expires. In most cases the sponsor will be able to include their family members granted under the refugee family reunion rules as part of their application for further permission to stay or settlement. All applications are considered in accordance with the policy on settlement in place at the time of the application. Details of how to apply, including the relevant criteria, are available on GOV.UK. See [Settlement: Refugee or humanitarian protection](#), [Settlement: family and private life](#).

Where a sponsor has a settlement protection application outstanding, there may be a delay in issuing the family reunion decision whilst the settlement protection application is being considered.

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Routes for those not eligible for refugee family reunion

Individuals who do not meet the requirements of the refugee family reunion rules may be eligible to apply under alternative routes under other parts of the Immigration Rules.

Children with a non-parent relative with protection status in the UK

There are provisions under [Appendix Child staying with or joining a Non-Parent Relative \(Protection\) \(CNP\)](#) of the Immigration Rules which allows for a child to join a non-parent relative with protection status in the UK where there are serious and compelling circumstances. This is a separate route to refugee family reunion and has an application fee, in addition to accommodation and maintenance requirements.

For more information see: [Child staying with or joining a non-parent relative with protection status guidance](#).

Post-flight partner

Where an individual becomes the partner of a person with protection status in the UK after they fled their country of origin or place of habitual residence to seek protection, they may be eligible to apply for permission to stay on the basis of that relationship. The onus is on the applicant to demonstrate that they meet the requirements of the Immigration Rules.

Where the applicant is already in the UK, they must submit an application to the Home Office to be considered under Article 8 European Convention on Human Rights (ECHR) using a Further Leave to Remain (Family and Private Life) application form.

Where the applicant is overseas, they must apply for entry clearance as the partner of a person with protection status under Appendix FM of the rules. See the Family life (as a partner or parent), private life and exceptional circumstances guidance for more information on both in-country and out-of-country applications.

Individuals brought to the UK under the Afghan Relocations and Assistance Policy (ARAP) and Afghan Citizens Resettlement Scheme (ACRS) Pathways 1 and 3

Individuals brought to the UK under the ARAP or the ACRS Pathways 1 and 3 do not have protection status, and therefore are not eligible to sponsor family members under the refugee family reunion rules.

Such individuals may be eligible to apply to sponsor family members under Appendix FM of the Immigration Rules. These rules provide for a partner, dependent children and adult dependent relatives to apply to join, or stay with, a settled person in the UK.

To make an application under Appendix FM the relevant application form must be completed for the family member. See Appendix FM family members caseworker guidance for more information.

Adult dependent relatives

There are alternative routes to enter and remain in the UK for dependents and extended family members of someone with protection status. The adult dependent relative application must be made from outside of the UK.

For example, children over the age of 18 who do not meet the exceptional circumstances defined in paragraph FRP.4.2, or elderly parents who are living overseas and require long-term care to do every day personal and household tasks may be eligible to apply under the Adult Dependent Relative route in Appendix FM. This route requires the applicant to demonstrate that, as a result of age, illness or disability, they require a level of long-term personal care that can only be provided in the UK by their relative here and without recourse to public funds. See Appendix FM family members caseworker guidance for more information.

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